

14020. Misbranding of Kopp's. U. S. v. 338 Bottles and 182 Bottles of Kopp's. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 20474, 20500. I. S. Nos. 4226-x, 4229-x. S. Nos. C-4830, C-4837.)

On October 7 and 13, 1925, respectively, the United States attorney for the Eastern District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 520 bottles of Kopp's, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Kopp's Baby's Friend Co., York, Pa., in part on or about June 13, 1925, and in part on or about July 16, 1925, and transported from the State of Pennsylvania into the State of Missouri, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle label, carton) "Kopp's * * * Made by the Kopp's Baby's Friend Co., successors to Mrs. J. A. Kopp."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of morphine sulphate, alcohol, sugar, water, and flavoring and coloring materials.

Misbranding of the article was alleged in the libels for the reason that the following statements appearing in the circular accompanying the said article were false and fraudulent, since it contained no ingredient, or combination of ingredients, capable of producing the curative and therapeutic effects claimed: "Teething. This is usually a trying and critical experience in baby's career. The swollen and congested gums are very painful, and if this pain continues it causes extreme nervousness. The child becomes restless and fretful, there is indigestion which causes either diarrhoea or constipation, vomiting in many cases, high fever and sometimes convulsions. A Teething Baby is a Nervous Baby and is more likely to contract colds, Diarrhoea, Cholera Infantum, Whooping Cough, and other baby ailments, and is less able to withstand them. In fact, many a case of illness in an infant that in itself could be controlled, when complicated with Teething becomes a very grave affair. It is therefore very important that teething be made as painless as possible," (French) "During dentition use this remedy regularly morning and evening," (German) "In the coming of the teeth it should be taken regularly morning and evening," (Spanish) "During dentition it should be used regularly night and morning," (Italian) "During dentition it is to be given to the little ones morning and evening regularly."

On January 9 and 11, 1926, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

14021. Adulteration and misbranding of Wood's special concentrated sweetener. U. S. v. 4 Lbs., et al., of Concentrated Sweetener. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13036, 13037, 13038, 13039, 13040, 13051, 13052, 13126, 13127. I. S. Nos. 9336-r, 9343-r, 9346-r, 9356-r, 9357-r, 9366-r, 3804-t, 9111-t, 9112-t. S. Nos. E-2425, E-2426, E-2427, E-2428, E-2429, E-2431, E-2446, E-2461, E-2462.)

On July 16 and 20 and August 5, 1920, respectively, the United States attorney for the Southern District of Florida, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 100 pounds and 44 ounces of concentrated sweetener, in various lots, at Jasper, Miami, Key West, Tampa, Lakeland, Orlando, and Sanford, Fla., respectively, consigned by the W. B. Wood Mfg. Co., St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., in various consignments, namely, about June 12, 18, 20, and 25 and July 3, 1920, respectively, and transported from the State of Missouri into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Wood's Special Concentrated Sweetener 500-500 Soluble in Cold Water * * Not Sold As A Drug W. B. Wood Mfg. Co. Manufacturing Chemists St. Louis, Mo."

Adulteration of the article was alleged in the libels for the reason that no other substance, to wit, saccharin, had been substituted wholly or in part or the said article. Adulteration was alleged for the further reason that the article contained saccharin, an added poisonous or deleterious ingredient, which might have rendered it injurious to health.

Misbranding was alleged for the reason that the statement borne on the labels "Special Concentrated Sweetener 500," was false and misleading, in that the said statement represented that the article was 500 times sweeter than sugar, when it was not. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On November 18, 1925, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

14022. Adulteration and misbranding of spring water. U. S. v. 7 Bottles of Williams Acme Spring Health Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20040. I. S. No. 15574-v. S. No. E-5304.)

On April 25, 1925, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 7 bottles of Williams Acme spring health water, remaining in the original unbroken packages at Rochester, N. Y., alleging that the article had been shipped by A. Puccia, Sanford, Fla., March 28, 1925, and transported from the State of Florida into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle) "Williams Acme Spring Health Water Williams Brothers Norfolk, Va. Visit The Spring At Bowers Hill, Va." A portion of the labels had the statement put on with rubber stamp, "Net Contents 5 Gallons."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

Misbranding was alleged for the reason that the statement "Health Water," borne on the labels, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, in that the statement of the net contents, which was put on with a rubber stamp, had been left off some of the bottles.

On June 13, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

14023. Adulteration of canned lima beans. U. S. v. 209 Cases of Canned Lima Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20581. I. S. No. 4324-x. S. No. C-4856-a.)

On November 7, 1925, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 209 cases of canned lima beans, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Rasse Wholesale Grocer Co., Fairbury, Nebr., on or about September 3, 1925, and transported from the State of Nebraska into the State of Missouri, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On January 9, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

14024. Adulteration of canned tuna. U. S. v. 94 Cases of Canned Tuna. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20580. I. S. No. 4323-x. S. No. C-4856.)

On November 7, 1925, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 94 cases of canned tuna, remaining in the